IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

WP(C).No. 19650 of 2007(L)

PETITIONER:

K.R.LINI, AGED 40 YEARS,
W/O P.K.RAJESWARAN,
HIGH SCHOOL ASSISTANT(MATHS), ALEEMUL ISLAM
HIGHER SECONDARY SCHOOL, PADOOR, THRISSUR DIST.

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA

RESPONDENTS:

---

1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT,
SECRETARIAT, TRIVANDRUM.

2. THE DISTRICT EDUCATIONAL OFFICER,
CHAVAKKAD, THRISSUR DISTRICT.

3. THE MANAGER,
ALEEMUL ISLAM HIGHER SECONDARY SCHOOL,
PADOOR, THRISSUR DISTRICT.

BY GOVERNMENT PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K.BASHEER, J.

W.P.(C)No.19650 OF 2007

Dated this the 2nd day of July, 2007

JUDGMENT

Petitioner claims that she was appointed as an HSA (Maths) with effect from August 4, 2000 in a leave vacancy of Smt. Lekha Sahadevan. She further claims that she had continued in the school applying the teacher student ratio of 1:40 with effect from July 15, 2001 and that her appointment was approved from that date till March 31, 2006 as revealed from Ext.P2 order. It is the case of the petitioner that the above ratio of 1:40 was extended further in the academic year 2006-07 as seen from Ext.P3.

2. Thereafter, petitioner was again accommodated against a "leave without allowance vacancy" of Smt. Lekha Sahadevan with effect from August 4, 2006 to August 3, 2011. But when the said order of appointment was forwarded for approval, respondent no.2 rejected the prayer made by the manager. Learned counsel submits that petitioner has preferred Ext.P6 revision petition against the order of refusal. The limited prayer is to issue a direction to respondent no.1 to take a decision on Ext.P6.

3. Learned Government Pleader submits that if Ext.P6 has been preferred as contended by the petitioner, appropriate decision thereon will be taken without any delay.

4. In the above facts and circumstances, writ petition is disposed of with a direction to respondent no.1 to consider and pass orders on Ext.P6 strictly on its merit and in accordance with law as expeditiously as possible, at any rate, within three months from the date of production of a copy of this judgment. While passing orders on Ext.P6, respondent no.1 shall keep in view Exts.P1 to P3 orders of the Government. Needless to mention that petitioner shall be afforded sufficient opportunity to be heard before any decision is taken in the matter. Petitioner shall produce a copy of the writ petition along with a certified copy of the judgment before respondent no.1 for compliance.

Writ petition is disposed of as above.

A.K.BASHEER, JUDGE

jes